

By: Kleinschmidt

H.B. No. 696

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the duties of and the application of the professional
3 prosecutors law to the county attorney in Gonzales County and to the
4 duties of the district attorney for the 25th Judicial District.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 43.112, Government Code, is amended to
7 read as follows:

8 Sec. 43.112. 25TH JUDICIAL DISTRICT. The voters of
9 [~~Gonzales,~~] Guadalupe[~~7~~] and Lavaca counties elect a district
10 attorney for the 25th Judicial District who represents the state in
11 the [~~that~~] district courts [~~court only~~] in those counties. In
12 addition to exercising the duties and authority conferred on
13 district attorneys by general law, the district attorney represents
14 the state in all criminal cases in the district courts in those
15 counties.

16 SECTION 2. Subchapter B, Chapter 45, Government Code, is
17 amended by adding Section 45.189 to read as follows:

18 Sec. 45.189. GONZALES COUNTY. (a) In Gonzales County, the
19 county attorney of Gonzales County shall perform the duties imposed
20 on and have the powers conferred on district attorneys by general
21 law.

22 (b) The county attorney of Gonzales County or the
23 Commissioners Court of Gonzales County may accept gifts or grants
24 from any individual, partnership, corporation, trust, foundation,

1 association, or governmental entity for the purpose of financing or
2 assisting the operation of the office of county attorney in
3 Gonzales County. The county attorney shall account for and report
4 to the commissioners court all gifts or grants accepted under this
5 subsection.

6 SECTION 3. Section 46.002, Government Code, is amended to
7 read as follows:

8 Sec. 46.002. PROSECUTORS SUBJECT TO CHAPTER. This chapter
9 applies to the state prosecuting attorney, all county prosecutors,
10 and the following state prosecutors:

11 (1) the district attorneys for Kenedy and Kleberg
12 Counties and for the 1st, 2nd, 8th, 9th, 12th, 18th, 21st, 23rd,
13 25th, 26th, 27th, 29th, 31st, 32nd, 33rd, 34th, 35th, 36th, 38th,
14 39th, 42nd, 43rd, 46th, 47th, 49th, 50th, 51st, 52nd, 53rd, 63rd,
15 64th, 66th, 69th, 70th, 76th, 81st, 83rd, 84th, 85th, 88th, 90th,
16 97th, 100th, 105th, 106th, 109th, 110th, 112th, 118th, 119th,
17 123rd, 142nd, 143rd, 145th, 156th, 159th, 173rd, 196th, 198th,
18 216th, 220th, 229th, 235th, 253rd, 258th, 259th, 266th, 268th,
19 271st, 286th, 329th, 344th, 349th, 355th, and 506th judicial
20 districts;

21 (2) the criminal district attorneys for the counties
22 of Anderson, Austin, Bastrop, Bexar, Bowie, Brazoria, Caldwell,
23 Calhoun, Cass, Collin, Comal, Dallas, Deaf Smith, Denton, Eastland,
24 Fannin, Galveston, Grayson, Gregg, Harrison, Hays, Hidalgo,
25 Jasper, Jefferson, Kaufman, Lubbock, McLennan, Madison, Navarro,
26 Newton, Panola, Polk, Randall, Rockwall, San Jacinto, Smith,
27 Tarrant, Taylor, Tyler, Upshur, Van Zandt, Victoria, Walker,

1 Waller, Wichita, Wood, and Yoakum; and

2 (3) the county attorneys performing the duties of
3 district attorneys in the counties of Andrews, Callahan, Cameron,
4 Castro, Colorado, Crosby, Ellis, Falls, Freestone, Gonzales,
5 Lamar, Lamb, Lampasas, Lee, Limestone, Marion, Milam, Morris,
6 Ochiltree, Orange, Rains, Red River, Robertson, Rusk, Swisher,
7 Terry, Webb, and Willacy.

8 SECTION 4. This Act takes effect September 1, 2013.